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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/036,466  | 01/04/2002  | Gururaj Nagendra     | 42390P13129         | 5624             |
| 8791  | 7590        | 05/19/2006           | EXAMINER            |                  |
| BLAKELY SOKOLOFF TAYLOR & ZAFMAN<br>12400 WILSHIRE BOULEVARD<br>SEVENTH FLOOR<br>LOS ANGELES, CA 90025-1030 |             |                      | REFAI, RAMSEY       |                  |
|   |             | ART UNIT             | PAPER NUMBER        |                  |
|   |             |                      | 2152                |                  |

DATE MAILED: 05/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| <b><i>Office Action Summary</i></b> | <b>Application No.</b> | <b>Applicant(s)</b> |
|-------------------------------------|------------------------|---------------------|
|                                     | 10/036,466             | NAGENDRA ET AL.     |
| <b>Examiner</b>                     | <b>Art Unit</b>        |                     |
|                                     | Ramsey Refai           | 2152                |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 23 February 2006.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-30 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-30 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_.  
\_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

Responsive to Amendment received February 23, 2006. Claims 1-30 remain pending further examination.

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Frank et al (US Patent No. 6,694,412).

3. As per claim 1, Frank et al teach an apparatus comprising:

a cache of a current peer in a current ring at a current level to store information of ring peers within the current ring, the current ring being part of an hierarchical ring structure of peer-to-peer (P2P) nodes (column 3, lines 35-65), the hierarchical ring structure having at least one of a lower level and a upper level (Figure 1); and

a peer locator coupled to the cache to locate a target peer in the cache in response to a request (column 3, lines 45-65).

4. As per claim 2, Frank et al teach a peer interface coupled to the peer locator to interface to at least one of a first lower peer in a first lower ring at the lower level and a first upper peer in a first upper ring at the upper level; the peer interface to forward the request to search the target peer to at least one of the first lower peer and the first upper peer when the target peer is not located in the cache (column 3, lines 54-64)

5. As per claim 3, Frank et al teach a lower interface to interface to at least one of the first lower peer and a second lower peer in a second lower ring at the lower level, the lower interface to forward the request to at least one of the first and second lower peers to search the target peer when the target peer is not located in the cache (**column 3, lines 35-65; Figure 1**).

6. As per claim 4, Frank et al teach the lower interface to receive the request from at least one of the first and second lower peers to search the target peer (**column 7, lines 10-42, Figure 1**).

7. As per claim 5, Frank et al teach:

an upper interface to interface to at least one of the first upper peer and a second upper peer in a second upper ring at the upper level, the upper interface to forward the request to at least one of the first and second upper peers to search the target peer when the target peer is not located in the cache (**column 7, lines 10-42, Figure 1**).

8. As per claim 6, Frank et al teach the upper interface to receive the request from at least one of the first and second upper peers to search the target peer (**column 7, lines 10-42, Figure 1**).

9. As per claim 7, Frank et al teach the cache stores information of at least one of the first and second lower peers (**column 3, lines 20-64, Figure 1**).

10. As per claim 8, Frank et al teach:

a registrar to process registration of at least one of the current peer to the first upper peer and the first lower peer to the current peer, the registration including the information on one of the current peer, the first upper peer, and the first lower peer (**column 3, lines 20-64, Figure 1**)

11. As per claim 9, Frank et al teach:

an information retriever to retrieve the information of the target peer if the target peer is located in the cache (**column 3, lines 20-64**).

12. As per claim 10, Frank et al teach the information includes an address of the target peer (**column 11, lines 20-65, Figure 5**).

13: As per claims 11-30, these claims contain similar limitations as claims 1-10 above, therefore are rejected under the same rationale.

*Response to Arguments*

14. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

*Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure are cited in the Notice of Reference Cited form (PTO-892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramsey Refai whose telephone number is (571) 272-3975. The examiner can normally be reached on M-F 8:30 - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

May 13, 2006



Ramsey Refai  
Examiner  
Art Unit 2152



BUNJOB JAROENCHONWANIT  
SUPERVISORY PATENT EXAMINER